

NEREUS.012C1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Palladino, et al.
Appl. No. : 10/068,333
Filed : February 4, 2002
For : NOVEL TRICYCLIC DITERPENE
DERIVATIVES
Examiner : Ralph J. Gitomer
Group Art Unit : 1651

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 13, 2004

(Date)

Marc T. Morley, Reg. No. 52,051

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Dear Sir:

Pursuant to 37 C.F.R. 1.321(b) the undersigned attorney of record is empowered to act on behalf of Assignees, Nereus Pharmaceuticals, Inc. and University of California. ("Assignees").

Assignees represent that they are jointly 100% owners by assignment of the above-referenced application which is a continuation of U.S. Application No. 09/570,202, now U.S. Patent No. 6,365,768, by virtue of assignments recorded at Reel No. 011197, Frame No. 0016 and Reel No. 012168, Frame No. 0919 by the Assignment Branch of the Patent and Trademark Office, which application claims priority from U.S. Application Nos. 60/134,295 and 60/186,853. The Assignees represent that, to the best of Assignees' knowledge and belief, title is in the Assignees seeking to take action.

Assignees hereby disclaim the terminal part of any patent granted on the instant application which would extend beyond the expiration date of U.S. Patent No. 6,365,768.

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Assignees hereby agree that any patent so granted shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding on the grantee, its successors, or assigns.

Assignees do not disclaim any terminal part of any patent application granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent No. 6,365,768, as shortened by a terminal disclaimer filed before the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is enclosed herewith.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/13/04

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